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CASE: CL/V-32843A/CVA

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July 29, 2005
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

EXAMINER:

LINDACHER, ET AL.

COLLINS, DARRYL J.

APPLICATION NO: 10/766,194

ART UNIT: 2873

FILED: January 28, 2004

FOR: OPHTHALMIC LENSES HAVING AN OPTICAL ZONE BLEND DESIGN

Commissioner for Patents
Washington, D.C. 20231

AMENDMENT B

Sir:

The Final Office Action, which is dated June 21, 2005 from Examiner Darryl J. Collins of Art Unit 2873, (1) rejects independent claim 1 and dependent claim 6 (depending on the rejected claim 1) under 35 USC §102(b) as being anticipated by Shinoda et al.; (2) rejects claims 1-3, 6-7, 10-11, 13 and 18 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-3, 17-19, and 23 of copending Application No. 10/980,589; and (3) states that claims 4-5, 8-9, 12, 14-17 and 19-31 are allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. In response, Applicants cancel claim 1, submit herewith a terminal disclaimer against copending Application No. 10/980,589, rewrite claim 2 as an independent claim including all of the limitations of the base claim (the canceled claim 1), and amended claim 6 to be dependent upon an allowable base claim (amended claim 2), in order to expedite prosecution of the present application. Applicants submit that the amendments, if entered, will place the application in condition for allowance.